

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANDREW CORZO, SIA HENRY, ALEXANDER
LEO-GUERRA, MICHAEL MAERLANDER,
BRANDON PIYEVSKY, BENJAMIN SHUMATE,
BRITTANY TATIANA WEAVER, and CAMERON
WILLIAMS, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA
INSTITUTE OF TECHNOLOGY, UNIVERSITY
OF CHICAGO, THE TRUSTEES OF COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK,
CORNELL UNIVERSITY, TRUSTEES OF
DARTMOUTH COLLEGE, DUKE UNIVERSITY,
EMORY UNIVERSITY, GEORGETOWN
UNIVERSITY, THE JOHNS HOPKINS
UNIVERSITY, MASSACHUSETTS INSTITUTE
OF TECHNOLOGY, NORTHWESTERN
UNIVERSITY, UNIVERSITY OF NOTRE DAME
DU LAC, THE TRUSTEES OF THE UNIVERSITY
OF PENNSYLVANIA, WILLIAM MARSH RICE
UNIVERSITY, VANDERBILT UNIVERSITY, and
YALE UNIVERSITY,

Defendants.

Case No. 1:22-cv-00125

Judge Matthew F. Kennelly

Defendant Vanderbilt University's Motion to Seal with Plaintiffs' Consent

Pursuant to the Confidentiality Order (Dkt. 254) and Local Rule 26.2, Defendant Vanderbilt University ("Vanderbilt"), by its undersigned counsel and with consent of the Plaintiffs, moves the Court for an order sealing ECF No. 433-2 filed on the public docket in this case. In support of this Motion, Vanderbilt states as follows:

BACKGROUND

1. On August 17, 2023, the parties filed a sealed Status Report with three exhibits. ECF Nos. 431, 431-1 to -3. The Court granted the corresponding motion to seal and directed that a redacted version be filed on the public docket. ECF No. 432.

2. On August 21, 2023, the parties filed the redacted, public version of the sealed Status Report and exhibits. ECF Nos. 433, 433-1 to -3.

3. Vanderbilt has determined that Exhibit B to the public version of the Status Report filed on August 21, 2023, contains Vanderbilt's sensitive, confidential information without redactions. *See* ECF No. 433-2.

4. Vanderbilt requests that the Court seal this document containing Vanderbilt's sensitive, confidential information.

5. Vanderbilt attaches to this Motion a redacted version of the exhibit, which is appropriate for filing on the public docket.

6. Counsel for Vanderbilt has conferred with counsel for Plaintiffs. Plaintiffs consent to the motion.

LEGAL STANDARD

7. The Seventh Circuit has long recognized that “[i]nformation that affects the disposition of litigation belongs in the public record unless a statute or privilege justifies nondisclosure,” and documents containing confidential information may be sealed. *United States v. Foster*, 564 F.3d 852, 853 (7th Cir. 2009) (emphasis added). A court may enter an order directing a document or portion of a document be shielded from public disclosure upon a showing of “good cause.” *See, e.g., Bond v. Utreras*, 585 F.3d 1061, 1074 (7th Cir. 2009).

DISCUSSION

8. “[A] court may for good cause shown enter an order directing that one or more documents be filed under seal.” Loc. R. 26.2(b).

9. Vanderbilt has good cause to seal ECF No. 433-2 and to replace it with a redacted version because the document in question contains sensitive personal identifying information of non-parties which, if maintained in the public record, risks causing irreparable harm to such non-parties.

10. The Court approved the filing of this document under seal as an exhibit to Certain Defendants’ Opposition to Plaintiffs’ Motion to Compel, ECF Nos. 456-2 (sealed version), 461-2 (public version). *See* ECF Nos. 462 (motion to seal), 463 (order granting motion to seal). Vanderbilt incorporates by reference the arguments in Certain Defendants’ Motion to Seal filed on October 12, 2023. ECF No. 462.

11. For the foregoing reasons, good cause exists for the Court to seal ECF No. 433-2.

DATED: October 27, 2023

By: /s/ J. Mark Gidley
J. Mark Gidley
WHITE & CASE LLP
701 Thirteenth Street, NW
Washington, DC 20005-3807
Tel: 202-626-3600
mgidley@whitecase.com

Robert A. Milne
David H. Suggs
WHITE & CASE LLP
1221 Avenue of the Americas
New York, NY 10020-1095

Tel: 212-819-8200
rmilne@whitecase.com
dsuggs@whitecase.com

Counsel for Defendant Vanderbilt University

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2023, the foregoing document was served on all counsel of record by email or using the CM/ECF system, which will send notice of this filing to all parties.

/s/ J. Mark Gidley
J. Mark Gidley